United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

-

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

CASE NUMBER: 05-CV-0329-JQE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

William F. Riggs Service agent for

Eagle Nursery LLC a/k/a Midwestern Nursery Containers Division

320 South Boston, Suite 500,

Tulsa OK 74103

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIPFS ATTORNEYS:

A. Sectt McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Toka, OK 74119
For Feterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Feods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the plain of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil	<u> Lombardi</u>	

MAR 1 5 2006

Date

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United States District Court

Northern District of Oklahoma

CIVIL ACTION

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Brian R. Berry Service agent for Park Hill Plants & Trees Inc. 1111 Wilcox Circle,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

CASE NUMBER: 05-CV-0329-JØE-SAJ

THIRD PARTY SUMMONS IN A

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

XD THIRD DEFENDAN ℙℯ℟⅌⅀ℙ℄⅄ℊ TOPANEYS:

IcDaniel e. Paul & McDaniel PLLC South Boulder, Suite 200 **X**4. OK 74119 or Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Flobert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rosc The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the plaim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Cler

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Gary Rice Service agent for To: Greenleaf Nursery Co., Inc.

HC 72 Box 163, Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANTA PARTY PLAN ATTORNE'S

Scott McDanie ce, Paul & McDaniel PLLC South Exoulder, Suite 200 Tuka OK /4119 ok Peterson Farms

obott W. George Kurack Rock LLP The Three Sisters Building 214 West Dickson Street Fayet:eville, AR 72701-5221 For Tyson Foods, Inc

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herew th served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Loghbardi

Date

MAR 1 5 2006

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

William F. Riggs Service agent for Northland Farms, LLC 320 South Boston, Suite 500, Tulsa OK 74103-3725 THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

DEFENDANT (AND THISE)

PARTY PLANTIFFS

ATTORNEYS

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

Joyce Paul & McDaniel PLLC 1 12 Jouth Boulder, Suite 200 Tulsa OK /4119 Eor Octorson Farms / Nobe t W. George Kytack Rock LLP

The Three Sisters Building

214 West Dickson Street

Fayetteville, AR 72701-5221 For Tyson Foods, Inc. R. Thomas Lay Kerr. Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102

For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119

For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

Clark

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-\$6

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

William D. Langley individually

RR 2 Box 199,

Westville OK 74965-9625

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEXS:

A. Scott McCarniel
Joyce, Paul & Daniel PLLC
1717 Sound of July
Tulst, Ok. 7(119
For Peterson Farms

Robert W. George Rutzek Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) DEPUTY CLERK

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Linda Fidler d/b/a

Fidlers Bend Farms & Trading Co., LLC

Route 1, Box 215 F, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

DEFENDANT AND THURD

Joyce, Paul & McDaniel PLLC

17/7 South Boulder, Suite 200

PARTY PLAIN

A. Seett MoDan

ATTORNEY

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

Tulsa, DK //4119 For Vetorson Farms Robert W. George Kurack Rock LLP

The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civit Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

Clerl

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Ron Fidler d/b/a

Fidlers Bend Farms & Trading Co., LLC

Route 1, Box 215 F, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Tulsa, OK 74119-1010

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scatt McDaniel
Joyce, Pant & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms
2 About W. George

Robert W. George Kunck Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules C vil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-S

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Darrell Moss individually To:

Route 2, Box 531, Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74118 For Peterson Farms

Robert W. George Krutack Brock LLP the Three Sisters Building 14/est Dickson Street et:eville, AR 72701-5221 or Tyson Foods, Inc.

R. Thomas Lav Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAND 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

	MAR I S EGGG
Phil Lombardi Clerk	Date
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United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Darryl Cates individually

Route 2, Box 507, Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRE PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel

Joyce, Paul & Modaniel PLLC 1717 South Boulder, Suite 200 Tulsa Okt 119 For Faterson Farms W. George €c Rock LLP The Three Sisters Building

214 West Dickson Street

Fayetteville, AR 72701-5221 For Tyson Foods, Inc. R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102

For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119

For George's Inc. John R. Elrod

MAR 1 5 2006

Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the I hird-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JØE-SAJ

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Ancil Maggard individually

Route 2, Box 568, Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIEFS ATTORNEYS:

A. Scott McDyniel
Joyde, Paul & McDaniel PLLC
17/1 South Boulder, Suite 200
Julia 10 K 74119
Por Jeterson Farms

Pobert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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(By) DEPUTY CLERK

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-8AJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Johny Bryan Service agent for Bryan Sand & Gravel, Inc. Route 3, Box 562, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 Schild Boulder, Suite 200
Tulsa Ok 174119
For Peterson Farms

Robert W. George Kutzek Rock LLP (The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Date

Phil Lombardi

Clerk

MAR 1 5 2006

0

CIVIL ACTION

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Jessee T. Proctor individually

P.O. Box 892,

Muldrow OK 74948

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

CASE NUMBER: 05-CV-0329-JOE-SAJ

THIRD PARTY SUMMONS IN A

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

Rober (Kutack The Ti 214 We Favette

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Rober W George
Kutae c Rock LLP
The Tiree Sisters Building
214 West Dickson Street
Eayetteville, AR 72701-5221
For Tyson Feods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

DEPUTY CLERK

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Garner Garrision individually

Route 1, Box 87, Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, QK 34119
For Peterson Farms
Robert W George

Robert W George
Kutslick Rock LLP
The Three Sisters Building
\$14/Vest Dickson Street
Fryerteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay Kerr. Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complairt unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Longbardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Glenn E. Thompson President of Brazil Creek Minerals, Inc. 101 N. Church Street.,

Poteau OK 74953

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder Suite 200
Tulsa, OK 14119
For Peterson Farms
Robert W. Beorge

Ketack Rock LLP The Three Sisters Building 214 West Dickson Street Fayet:eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

		MAR 1 5 2006	
Phil Lombardi Clerk	Date		

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Lena Garrision individually

Route 1, Box 87, Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

DEFENDANT AND THIRD

Joyce, Paul & McDaniel PLLC

1717 South Boulder, Suite 200

PARTY PLAINTIFFS

ATTORNEYS:

A. Scott McDanfel

Tulsa, OK 74119

For/Petelson|Farms

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver

Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

> Kutaok Bock LLP e Sisters Building 2/4 West Dickson Street ayet.eville, AR 72701-5221 Tyson Foods, Inc

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue

David C . Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C.

100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do sc, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complain: unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(Py) DEPUTY CLERK

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

John E. Cotherman individually

P. O. Box 90, Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Haul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 14119
For Leverson Farms

Rober W. George Kutock Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, frvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Julie A. Cotherman individually P. O. Box 90,

Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 Scuth Boulder, Suite 200
Tulsa, OK 74110
For Peterson Farms

Robert W. George Kutack Rook L.DP The Three Sisters Building 114 West Dickson Street Fayetle ville AR 72701-5221 For Pyson Foods, Inc. R. Thomas Lav

K: Homas Lay Kert, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civ.l Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Date

Phil Lombardi

MAR 1 5 2006

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

V.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Helen Watts Trustee of the Helen Watts Revocable Trust

Rt. 1, Box 277, Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRE PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Presson Farms

Nobelt W. George Kutak Rock LLP The Three Sisters Building 2/4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules C.vil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lømbardi

Date

MAR 1 5 2006

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Simp Watts Trustee of the Simp Watts Revocable Trust

Rt. 1, Box 277, Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce. Paul & McDaniel PLLC
1717 Solith Boulder, Suite 200
Tulsa Old 1919
For Peterson Farms

Robert W. George Kutark Rock LLP The Three Sisters Building 14 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklasoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Date

Phil Lombardi

O

(By) DEPUTY CLERK

MAR 1 5 2006

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Jim Jones Service agent for T&M Sand and Gravel, Inc. 204 N. Elm,

Sallisaw OK 74955

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Path & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, ON 77119 For (Peter) on Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 14 West Dickson Street Payetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Rebert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.
PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Hoby Ferrell individually 1820 S. Cincinnati, Tulsa OK 74119

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THURD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel/
Joyce, Paul & McDaniel PLLC
1717 Sputh Boulder, Suite 200
Tulsa, O. J. 119
For Peterson Farms

P. Abert W. George

Robert W. George Cutack Rock LLP The Three Sisters Building 274 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Phird-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

R. Jay Chandler Service agent for Greater Tulsa Investments, LLC 401 South Boston, Suite 2900, Tulsa OK 74103

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIPFS ATTORNEYS:

A. Scott McDaniel
Joyce. Paul & McDaniel PLLC
17 17 South Boulder, Suite 200
Talsa. OK 74119
Tot Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Avc., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Date

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Wauhilla Outing Club P. O. Box 1286,

Muskogee OK 74401

YOU ARE HEREBY SUMMONED and required to file with the gerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRE PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulch, OK 74119
For Retuson Farms

Robott W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Fobert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C. Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not arswering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk
Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329/JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Gregory Terry d/b/a

One Degree Lawn Care and Landscaping

16851 N. 523 Road, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDAXIT\AND THIRD PARTY PLANATUFFS ATTORNEYS:

A. Scott McDaniel Joyce, Parly & McDaniel PLLC 1717 South Boulder, Suite 200 Pulsa, ØK 74119 Kar√eterson Farms

obert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances desoribed in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., ct al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Joe Don Thornton Service agent for Thornton Lawn & Exterminating, Inc. 1830 N. Vinita,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel

Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa OK 74119 For Fergron Farms Robert W. George Kutack Rock LLP The Three Sisters Building

214 West Dickson Street

Fayetteville, AR 72701-5221

For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cai-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

* 127 111

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Andrew A. George Service agent for Spring Hollow Feed Mill, Inc. 13243 Killabrew Road, Hulbert OK 74441

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 7/119 For Peterson Farms

Robert W. George Rounek Rock LLP The Three Sisters Building 2/4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: John Doe d/b/a
Turf Professional
411 N. 7th Street,

Jay OK 74346

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce (Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa (AK) 74/19
For Vetago Farms

Robert W. George Kutzk Rock LLP The Three Sisters Building 214 West Dickson Street Payetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2008

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Harvey L. Chaffin Service agent for Cherry Springs Golf Club Inc./Wilcox Garden 219 W. Keetoowah, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFES ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa. OK 74119
For Peterson Farms

Rabert W. George Kyrack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

v.

TYSON FOODS, INC. et al.

PLAINTIFF

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Mark Seratt trustee for Millie Seratt Trust 17110 N. Cary Lane, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTUFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 17 7 Sputh Boulder, Suite 200 Julia DK 74119 For Veterson Farms

Kobert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

V.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Tom Tate Service agent for

Illinois River Ranch Recreational Vehicle Park Property Owners Association

6611 N. Starr Ridge Road,

Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND TAIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McPaylel Joyce, Prof & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119

For Peterson Farms

Robert W. George Kyrack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Page 30 of 40

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Tom Tate Service agent for Illinois River Ranch Recreational Vehicle Park Property Owners Association

6611 N. Starr Ridge Road, Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIPFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 Fouth Boulder, Suite 200
Tulsa, OK 74119
For Fegerson Farms

Robert W. George Kylack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Feods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Date

Phil Lombardi

MAR 1 5 2006

Clerk

Mad Onl

CIVIL ACTION

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., ct al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Reed Williams Service agent for

Illinois River Ranch Property Owners Association 6611 N. Starr Ridge Road,

Proctor OK 74457

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

foyce, Paul & McDaniel PLLC

717 Sputh Poulder, Suite 200

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

Tulsa, OK /74119

For Feterson Farms

Robert W. George

Kurack Rock LLP

The Three Sisters Building
214 West Dickson Street

Fayetteville, AR 72701-5221

For Tyson Foods, Inc.

A. Sc∂tt McDan,

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

PARTY PLAINTIPES
ATTORNEYS:

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger

THIRD PARTY SUMMONS/IN A

CASE NUMBER: 05-CV-0329-JQE-SAJ

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

> George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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n1.:1	Lombardi
rnn	Longoarui

Clerk

Date

(By) DEPUTY CLERK

MAR 1 5 2006

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

v.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329/JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Lloyd E. Cole, Jr. Service agent for Flint Ridge Property Owners Association, Inc.

120 W. Division, Stillwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIPFS ATTORNEYS:

A. Seatt McDaniel
Joyce, Paul & McDaniel PLLC
17 (7 South Boulder, Suite 200
Tulsa, Ok. 74119
For Peterson Farms

Role t W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Marjorie A. Garman d/b/a

Riverside RV Resort and Campground, LLC 5116 Highway 10,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIR PARTY PLAINTIFFS ATTORNEYS:

A. Scott Madamiel Joyce, Paul & Madamiel PLLC 1717 South Boulder, Suite 200 Tulsa; OK 74179 For Peterson Farms

RobortW George Kutack Rock LLP The Three Sisters Building 2 4 West Dickson Street Byetreville, AR 72701-5221 For Tyson Foods, Inc

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklał oma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demandir gjudgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IX CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Marjorie A. Garman individually To: 5116 Highway 10, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver

Riggs Abney Neal Turpen Orbison & Lewis $502 \; \text{West} \; 6^{th} \; \text{Street}$

Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAUNTIFF ATTORNE

A. Scott McDaniel Joyce. Paul & McDaniel PLLC 1717 South Fourder, Suite 200 Tulsa. **QK /**4/19

For Reterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 2/14 West Dickson Street Fayet:eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue

David C .Senger Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Whird-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

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TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329/JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Max K. Naegler Service agent for

Frates Properties, Inc.

The Drummond Law Firm, 1500 S. Utica, Ste. 400,

Tulsa OK 74104

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIPFS

ATTORNEYS

A. Scott Mathaniel
Joyce Paul & McDaniel PLLC
1712 South Boulder, Suite 200
Tulsa OK 74119

Tulsa OK 74119 For Hyterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ablcs 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

MAR 1 5 2006

Clerk

Date

Document 230 Filed in USDC ND/OK on 03/15/2006 Page 37 of 40

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Brian R. Berry d/b/a
Town Branch Guest Ranch
1111 Wilcox Circle.

1111 Wilcox Circle, Talequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

Jøyce, Paul & McDaniel PLLC

717 South Boulder, Suite 200

A. Scott McDarlie,

Talea OK 74119

For Fetdson Farms

Rober: W. George
Kurack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221

For Tyson Foods, Inc.

R. Thomas Lay Kerr, rvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119

For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil	Ĭ.	oʻmi	bardi

Phil Lombardi Clerk

(By) DEPUTY CLERK

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Brian R. Berry individually 1111 Wilcox Circle, Talequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS: \(()\)

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Soite 200 Tulsa, OK 74 L9
For Reterson Farms

Robert W. George Kutack Rock/LLP The Three Sisters Building 214 West/Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

K homas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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		MAR 1 5 2006
Phil Lombard	<u> </u>	
Clerk -	Date	

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOP-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Mary C. Berry d/b/a
Town Branch Guest Ranch
1111 Wilcox Circle,
Talequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND TILIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulse, OK 77119
For Feterson Farms
Ruber, W. George

The Three Sisters Building

24 West Dickson Street

Kutack Rock LLP

Payetteville, AR 72701-5221
For Tyson Foods, Inc.
R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102

For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue

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MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE	OF	OK	LF	IOAM <i>A</i>	i, ex	rel.,	et	\mathbf{a}	
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v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Mary C. Berry individually 1111 Wilcox Circle, Talequah OK 74464

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PLAINTIFF ATTORNEY

(By)DEPUTY CLERK

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDanier PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms
Robert W. George

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayerteville, AR 72701-5221 For Tyson Feods, Inc.

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		MAR 1 5 2006
Phil Lombargí		
Clerk /	Date	
D. Madon		